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1 2 3 4 5 6 7 8 9	ERIC B. KINGSLEY, State Bar No. 185123 eric@kingsleykingsley.com KELSEY PETERSON-MORE, State Bar No. 26026 kelsey@kingsleykingsley.com KINGSLEY & KINGSLEY, APC 16133 Ventura Boulevard, Suite 1200 Encino, California 91436 Telephone: (818) 990-8300 Fax: (818) 990-2903 Attorneys for Plaintiff MARK ZELLER BRUCE E. COPELAND, State Bar No. 124888 bcopeland@nixonpeabody.com NIXON PEABODY LLP One Embarcadero Center, 18th Floor San Francisco, California 94111-3600 Telephone: (415) 984-8200 Fax: (415) 984-8300	54
10	Attorneys for Defendants CONSTELLATION BRA	NDS,
11	INC. and CONSTELLATION WINES U.S., INC.	,
12	UNITED STATES D NORTHERN DISTRIC	
13	TVOTCTTIBLE V BIOTTER	or or order
14	JOAN WARREN, on behalf of herself and others similarly situated,	
15	Plaintiff,	
16	VS.	Case No. C-10-1003 SC
17	E& J Gallo Winery, and DOES 1 to 50, inclusive,	Formerly Case No. 3:11-cv-02138 MEJ
18	Defendants.	CLASS ACTION
19	Defendance.	
20	MARK ZELLER, on behalf of himself and others	STIPULATION OF DISMISSAL OF ACTION
21	similarly situated,	STIL CLATION OF DISMISSAL OF ACTION
22	Plaintiff,	
23	VS.	
24	CONSTELLATION BRANDS, INC.;	
25	CONSTELLATION WINES U.S., INC.; SICA CAVE DU SIEUR D'ARQUES; AIMERY	
26	SIEUR D'ARQUES; VIGNERON DU SIEUR D'ARQUES; DOMAINE ET VIGNOBLE DU	
27	SUD; formerly known as Société Ducasse; and DOES 1 to 50, inclusive,	
28	Defendants.	
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STIPULATION OF DISMISSAL CASE NO. C-10-1003 SC

1	IT IS HEREBY STIPULATED by and between Plaintiff Mark Zeller and Defendants
2	Constellation Brands, Inc. and Constellation Wines U.S., Inc., being all the parties that have been
3	served in the action entitled Mark Zeller, on behalf of himself and others similarly situated v.
4	Constellation Brands, Inc.; Constellation Wines U.S., Inc., SICA Cave Du Sieur D'Arques; Aimery
5	Sieur D'Arques; Vigneron Du Sieur D'Arques; Domaine et Vignoble Du Sud, formerly known as
6	Société Ducasse; and Does 1 to 50, inclusive (formerly Case No. CV 10-8601 CAS in the United
7	States District Court for the Central District of California before its transfer to this District and Case
8	No. 3:11-cv-02138 MEJ immediately following its transfer to this District), that such action, and the
9	complaint and all claims in such action, are hereby dismissed without prejudice pursuant to Federal
10	Rule of Civil Procedure 41(a)(1).
11	
12	Dated: June 1, 2011 KINGSLEY & KINGSLEY, APC
13	By: <u>/s/ Kelsey Peterson-More</u> Eric B. Kingsley
14	Kelsey Peterson-More 16133 Ventura Boulevard, Suite 1200
15	Encino, California 91436 Telephone: (818) 990-8300
16	Fax: (818) 990-2903 eric@kingsleykingsley.com
17	kelsey@kingsleykingsley.com
18	Attorneys for Plaintiff MARK ZELLER
19	

Dated: June 1, 2011



NIXON PEABODY LLP

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Attorneys for Defendants CONSTELLATION BRANDS, INC. and CONSTELLATION WINES U.S., INC.

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1	ATTESTATION OF CONCURRENCE
2	I hereby attest that concurrence in the filing of this document has been obtained from Kelsey
3	Peterson-More.
4	By: <u>/s/ Bruce E. Copeland</u> Bruce E. Copeland
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